



8 UNITED STATES DISTRICT COURT
9
10 UNITED STATES OF AMERICA,) Case No.
11 Plaintiff,)
12 v.) ORDER OF DETENTION AFTER HEARING
13 *Brandon Filley*) (18 U.S.C. § 3142(i))
14 Defendant.)
15
16 I.
17 A. () On motion of the Government involving an alleged
18 1. () crime of violence;
19 2. () offense with maximum sentence of life
20 imprisonment or death;
21 3. () narcotics or controlled substance offense with
22 maximum sentence of ten or more years (21
23 U.S.C. §§ 801, /951, et. seq., /955a);
24 4. () felony - defendant convicted of two or more
25 prior offenses described above.
26 B. On motion () (by the Government)/() (by the Court sua
27 sponte involving)
28 1. ~~X~~ serious risk defendant will flee;

1 2. () serious risk defendant will
2 a. () obstruct or attempt to obstruct justice;
3 b. () threaten, injure, or intimidate a prospective
4 witness or juror or attempt to do so.

5 II.

6 The Court finds no condition or combination of conditions will
7 reasonable assure:

8 A. appearance of defendant as required; and/or
9 B. () safety of any person or the community;

10 III.

11 The Court has considered:

12 A. the nature and circumstances of the offense;
13 B. the weight of evidence against the defendant;
14 C. the history and characteristics of the defendant;
15 D. the nature and seriousness of the danger to any
16 person or to the community.

17 IV.

18 The Court concludes:

19 A. () Defendant poses a risk to the safety of other persons
20 or the community because: _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 ///

28 ///

1 B. History and characteristics indicate a serious risk
2 that defendant will flee because: he violated the
3 terms of supervision by cutting off his monitoring
4 device and has a history of abusing methamphetamine.
5
6

7 C. A serious risk exists that defendant will:
8 1. obstruct or attempt to obstruct justice;
9 2. threaten, injure or intimidate a witness/
10 juror; because: _____
11
12
13

14 D. Defendant has not rebutted by sufficient evidence to
15 the contrary the presumption provided in 18 U.S.C.
16 § 3142 (e).

17 IT IS ORDERED that defendant be detained prior to trial.

18 IT IS FURTHER ORDERED that defendant be confined as far as
19 practicable in a corrections facility separate from persons awaiting
20 or serving sentences or person held pending appeal.

21 IT IS FURTHER ORDERED that defendant be afforded reasonable
22 opportunity for private consultation with counsel.

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DATED: 9-5-18



EDWARD INFANTE
UNITED STATES MAGISTRATE JUDGE

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